

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name, that I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled

METHODS AND MIXTURES FOR TREATING DISTRESSED TREES

filed herewith; specification of which that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge my duty to disclose information known to be material to the patentability of a pending claim in this application in accordance with 37 C.F.R. 1.56(a).

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: N/A

Serial No.	Filing Date

I hereby appoint:

Kelly K. Kordzik
James J. Murphy
Barry Newberger
Ehrlich, Henry L.
Garsson, Ross S.
Mason, Dwayne
Rogers, Charles J.
Shaddox, Robert C.

Reg. No. 36,571
Reg. No. 34,503
Reg. No. 41,527
Reg. No. 39,663
Reg. No. 38,150
Reg. No. 38,959
Reg. No. 38,286
Reg. No. 34,011

of the firm of Winstead Sechrest & Minick P.C., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty.

Send Correspondence To:
Winstead Sechrest & Minick P.C.
5400 Renaissance Tower
1201 Elm Street
Dallas, Texas 75270

Direct Telephone Calls To
James J. Murphy
at (214) 745-5374
Atty. Docket No.
22601- P002US

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of the first inventor

Don Wiley Smith


Inventor's signature

Date

Residence (City, County, State)

Citizenship

Post Office Address


9-12-2000
Denton, Denton County, Texas
United States of America
2107 Emerson Lane 76201

Full name of the second inventor

Peter Martin


Inventor's signature

Date

Residence (City, County, State)

Citizenship

Post Office Address


9/12/2000
Denton, Denton County, Texas
United States of America
413 Meng Circle 76201

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTORDocket Number (Optional)
22601-P002USApplicant or Patentee: Don Wiley Smith and Peter Martin

Application Serial No. _____

Filed or Issued: _____

Title: METHODS AND MIXTURES FOR TREATING DISTRESSED TREES.

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

☒ the specification filed herewith with title as listed above.☐ the application identified above.☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ No such person, concern, or organization exists.☐ Each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Don Wiley Smith
NAME OF INVENTORDon W Smith
Signature of inventor9/12/00
DatePeter Martin
NAME OF INVENTORPeter Martin
Signature of inventor9/12/2000
Date_____
NAME OF INVENTOR_____
Signature of inventor_____
Date